

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**U.S. BANCORP EQUIPMENT FINANCE, INC.  
f/k/a U.S. BANCORP LEASING & FINANCIAL,  
SUCCESSOR IN INTEREST TO FIRSTAR BANK, N.A.**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 3:05cv779-HTW-LRA**

**JAMES R. MOAK**

**DEFENDANT**

**FINAL JUDGMENT**

**THIS CAUSE** having come on to be heard on this date upon the supplemental motion of the Plaintiff for prejudgment interest, attorney's fees and postjudgment interest, and the Court having considered the allegations of the supplemental motion and finding that this Court has jurisdiction of the parties and subject matter, that the Defendant has been served with process in the manner and time prescribed by law, but Defendant having wholly failed to file an Answer or response to the Complaint of the Plaintiff herein, and the Court having granted Default Judgment on January 4, 2008, and the Court having rendered its Memorandum Opinion and Order on July 23, 2008, granting Plaintiff's request for prejudgment interest, attorney's fees and postjudgment interest, and the Court being of the opinion that Plaintiff is entitled to judgment, finds as follows:

The Plaintiff, U.S. Bancorp Equipment Finance, Inc., f/k/a U.S. Bancorp Leasing & Financial, is entitled to judgment from and against the Defendant, James R. Moak, in the principal amount of \$70,681.67, plus prejudgment interest in the amount of \$3,119.59, together with reasonable attorney's fees in the amount of \$23,558.33, together with all costs of court herein which total \$250.00, for a judgment in the total sum of \$97,609.59, with interest thereon accumulating pursuant to 28 U.S.C. § 1961 at the rate of 3.42%, compounding annually, from January 4, 2008, until said judgment has been paid.

**IT IS, THEREFORE, ORDERED AND ADJUDGED**, that U.S. Bancorp Equipment Finance, Inc. f/k/a U.S. Bancorp Leasing & Financial have of and recover from the Defendant, James R. Moak, the sum of \$97,609.59, together with interest thereon accumulating and accruing pursuant to 28 U.S.C. § 1961 at the rate of 3.42%, compounding annually, from January 4, 2008, until said judgment has been paid, for which let execution issue.

**ORDERED AND ADJUDGED**, this the 28<sup>th</sup> day of August, 2008.

s/ HENRY T. WINGATE  
**BY:** \_\_\_\_\_  
**HENRY T. WINGATE**  
**CHIEF UNITED STATES DISTRICT JUDGE**

**PRESENTED BY:**

/s Harold H. Mitchell, Jr.  
**HAROLD H. MITCHELL, JR.**  
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**Attorney for Plaintiff**

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Final Judgment